



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,404	03/14/2001	Kenneth S. Araujo	Netilla-7/APP	3677

7265 7590 04/27/2005

MICHAELSON AND WALLACE  
PARKWAY 109 OFFICE CENTER  
328 NEWMAN SPRINGS RD  
P O BOX 8489  
RED BANK, NJ 07701

EXAMINER

PWU, JEFFREY C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/808,404

Applicant(s)

ARAUJO ET AL.

Examiner

Jeffrey C. Pwu

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 7/13/2004 amendment.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 and 11-13 are rejected under 35 U.S.C. 102(e) as being unpatentable over Staples et al. (U.S. 6,301,339).

Staples et al. discloses method and apparatus for providing a web-accessible (fig.18a) virtual processing environment to a network-connected office server for a remotely connected user computer through which a user stationed at the computer can execute any of a plurality of server-based applications resident at the office server, comprising:

a platform, capable of being situated in network communication between the user computer and the office server (fig.1 or 2), having:

a processor (72);

a memory (60, 80), connected to the processor and for storing computer executable instructions therein;

first and second network interfaces, operable in conjunction with the processor, for interfacing the platform, through the first network interface,

to a wide area network (WAN) connection through which the remote user computer obtains connectivity to the platform, and, through the second network interface, to a local area network (LAN) having a server computer electrically communicative thereover, respectively, with the server computer forming the office server; and wherein, in response to the executable instructions, the processor, for each one of the server-based applications:

provides, through a corresponding client application module implemented on the platform for each of the server-based applications, bi-directional protocol conversion of messages between the remote user computer and the office server, such that user interaction data, intended for a specific one of the server-based applications and provided by a browser executing on the remote user computer in a first protocol, is converted into a second protocol associated with said one server-based application and then applied to the server-based application at the office server, and output data, provided by said specific one server-based application, is converted from the second protocol to the first protocol for being transmitted to the user computer and graphically rendered thereat, through the browser, to the user. (86, 82, 78, 88; col.29, lines 44-59)

wherein the processor, in response to execution of the stored instructions: for messages emanating from the user computer and appearing on the WAN connection: receives, from the browser, a first message containing the user interaction data associated with a specific one server-based application and in the first protocol; converts the user interaction data in the first protocol to the second protocol associated with the specific one server-based application to yield a second message; and applies the second message, as input, to the server computer for processing by the specific one server-based application; and for messages emanating from the server computer and appearing on the LAN: receives, from the server computer and over the LAN connection, a third message containing output data generated by the specific one server-based application and in the second protocol; converts the output data message in the second protocol to the first protocol to yield a fourth message; and applies the fourth message to the WAN connection for transmission to the browser in order to render the output data thereat. (col.15, line 55-col.26, line 30)

wherein the server computer comprises a corresponding server for each of the server-based applications and is implemented either coincident with the platform or as at least one physical computer separate from the platform and connected, via the LAN, to it.

(fig.12)

***Allowable Subject Matter***

3. Claims 4-10 and 14-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 23, 2005



**JEFFREY PWU  
PRIMARY EXAMINER**